

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>05174/LH</b>
INTERNATIONAL APPLICATION NO. <b>PCT/JP03/13125</b>		U.S. APPLICATION NO. If known, see 37 CFR 1.5) <b>107529821</b>
INTERNATIONAL FILING DATE <b>14 October 2003 (14.10.2003)</b>		PRIORITY DATE CLAIMED <b>23 October 2002 (23.10.2002)</b>
TITLE OF INVENTION <b>METHOD AND APPARATUS FOR CONTROLLING HYDRAULIC PUMP FOR WORKING MACHINE OF WORKING VEHICLE</b>		
APPLICANT(S) FOR DO/EO/US <b>TODA, Eiji; SATO, Yoshiharu</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))               <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).               <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))               <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input checked="" type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p>Items 11 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information:</li> </ol>		

1<sup>st</sup> page of WO 2004/038232; PCT/RO/101 AND JAPANESE  
LANGUAGE APPLICATION; FORMS PCT/IB/301,  
PCT/IB/304, PCT/IB/308, PCT/IB/332; PCT/ISA/210;  
IDS, PTO/SB/08A AND 5 FOREIGN REFERENCES;

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**Date of Deposit: March 31, 2005**

I hereby certify that this paper is being deposited with the United States Postal Service  
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Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450

*N. Sahadeo*  
**NALINI P. SAHADEO**

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <div style="font-size: 2em; font-weight: bold; text-align: center;">10/529821</div>		INTERNATIONAL APPLICATION NO. PCT/JP03/13125		ATTORNEY'S DOCKET NUMBER 05174/LH									
21. The following fees are submitted: <input checked="" type="checkbox"/> a) Basic national fee..... \$300.00 <input checked="" type="checkbox"/> b) Examination fee..... \$200.00 <input checked="" type="checkbox"/> c) Search fee..... \$500.00  <div style="text-align: right;"><b>TOTAL OF ABOVE CALCULATIONS = \$1000.00</b></div>				<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="text-align: right;">\$</td><td style="text-align: right;">300.00</td></tr> <tr><td style="text-align: right;">\$</td><td style="text-align: right;">200.00</td></tr> <tr><td style="text-align: right;">\$</td><td style="text-align: right;">500.00</td></tr> <tr><td style="text-align: right;">\$</td><td style="text-align: right;">1000.00</td></tr> </table>		\$	300.00	\$	200.00	\$	500.00	\$	1000.00
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<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.													
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE										
55 - 100 =	0 /50 =		x \$250.00										
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="text-align: right;">\$</td><td style="text-align: right;">.00</td></tr> </table>		\$	.00						
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CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE										
Total claims	11 - 20 =		x \$50.00	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="text-align: right;">\$</td><td style="text-align: right;">.00</td></tr> </table>		\$	.00						
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Independent claims	3 - 3 =		x \$200.00	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="text-align: right;">\$</td><td style="text-align: right;">.00</td></tr> </table>		\$	.00						
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MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="text-align: right;">\$</td><td style="text-align: right;">.00</td></tr> </table>		\$	.00						
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<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="text-align: right;">\$</td><td style="text-align: right;">.00</td></tr> </table>		\$	.00						
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Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="text-align: right;">\$</td><td style="text-align: right;">.00</td></tr> </table>		\$	.00						
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<b>TOTAL NATIONAL FEE =</b>				<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="text-align: right;">\$</td><td style="text-align: right;">1000.00</td></tr> </table>		\$	1000.00						
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Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="text-align: right;">\$</td><td style="text-align: right;">.00</td></tr> </table>		\$	.00						
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<b>TOTAL FEES ENCLOSED =</b>				<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="text-align: right;">\$</td><td style="text-align: right;">1000.00</td></tr> </table>		\$	1000.00						
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				Amount to be refunded:	\$ .00								
				Amount to be charged:	\$ .00								
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit t Account No. <u>06-1378</u> . A duplicate copy of this sheet is enclosed. d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.													
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.													
SEND ALL CORRESPONDENCE TO: <div style="font-size: 1.5em; font-weight: bold;">CUSTOMER NO. 01933</div> <div style="margin-top: 5px;">             Leonard Holtz              Frishauf, Holtz, Goodman &amp; Chick P.C.              767 Third Avenue              25<sup>th</sup> Floor              New York NY 10017-2023           </div> <div style="text-align: right; margin-top: 10px;">LH:bv</div>													
				SIGNATURE									
				NAME									
				22,974									
				REGISTRATION NUMBER									

Please type a plus sign (+) inside this box → [ + ]

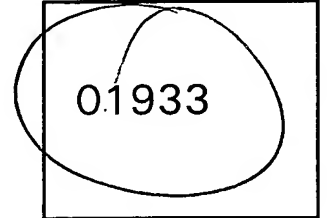
JC17 Rec'd PCT/PTO 31 MAR 2005

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<b>CHANGE OF CORRESPONDENCE ADDRESS Application</b>  <b>Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</b>	Application Number	Not Yet Assigned <b>10/529821</b>
	Filing Date	Herewith
	First Named Inventor	E. TODA
	Group Art Unit	Not Yet Assigned
	Examiner Name	Not Yet Assigned
	Attorney Docket Number	005174/LH

Please change the Correspondence Address for the above-identified application to:

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[X] Firm or Individual Name	FRISHAUF, HOLTZ, GOODMAN & CHICK, P.C.				
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Country	U.S.A.				
Telephone	(212) 319-4900	Fax	(212) 319-5101		

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I am the:

[ ] Applicant/Inventor.

[ ] Assignee of record of the entire interest. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

[X] Attorney or Agent of record.

[ ] Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number \_\_\_\_\_

Typed or Printed Name	Leonard Holtz, Registration No. 22,974
Signature	
Date	March 31, 2005

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required. See below.

[ ] Total of \_\_\_\_\_ forms are submitted.

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Attorney Docket No. 05174/LH

**529821**  
**JC17 Rec'd PCT/PTO 31 MAR 2005**

**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Applicant(s): E. TODA et al

Serial No. : Nat'l Phase Appln. of  
PCT/JP03/13125

Filed : Herewith

For : METHOD AND APPARATUS FOR  
CONTROLLING HYDRAULIC PUMP FOR  
WORKING MACHINE OF WORKING VEHICLE

Art Unit : Not Yet Assigned

Examiner : Not Yet Assigned

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Date of Deposit: March 31, 2005

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addressed to the Asst. Commissioner for  
Patents, Washington, D.C. 20231

N. Sahadeo  
Nalini P. Sahadeo

In the event that this Paper is late filed,  
and the necessary petition for extension  
of time is not filed concurrently  
herewith, please consider this as a  
Petition for the requisite extension of  
time, and to the extent not tendered by  
credit card payment, authorization to  
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Account No. 06-1378.

**REQUEST FOR PUBLICATION OF  
ASSIGNMENT INFORMATION**

Commissioner for Patents  
P.O. Box 1450,  
Alexandria, VA 22313-1450

S I R :

It is requested that the following assignment information be  
published as part of the 18 month publication of the present  
application:

KOMATSU LTD.  
3-6, Akasaka 2-chome, Minato-ku,  
Tokyo 107-8414 Japan

Respectfully submitted,

LEONARD HOLTZ  
Reg. No. 22,974

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Fax No. (212) 319-5101